

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

SAMSON ALDACO,)	CASE NO. 8:09CV177
)	
Petitioner,)	
)	
v.)	MEMORANDUM
)	AND ORDER
ROBERT HOUSTON,)	
)	
Respondent.)	

This matter is before the court on Petitioner’s Motion for Recusal (Filing No. [9](#)) and his related Motion to Reassign Case (Filing No. [10](#)). In his Motion for Recusal, Petitioner states the undersigned judge presided over Petitioner’s criminal bench trial in Case Number 8:02CR21, where the judge heard evidence and decided issues that were also presented in the state court proceedings Petitioner challenges in this case. (Filing No. [9](#) at CM/ECF pp. 1-2.)

The court has carefully reviewed Plaintiff’s Motions. In accordance with [28 U.S.C. 455\(a\)](#), the court finds that there is nothing indicating that the court’s “impartiality might reasonably be questioned” or that there is any other basis for recusal or reassignment in this matter. Furthermore, Petitioner has not filed an affidavit sufficient to trigger the provisions of [28 U.S.C. § 144](#).

IT IS THEREFORE ORDERED that: Petitioner's Motion for Recusal (Filing No. [9](#)) and Motion to Reassign Case (Filing No. [10](#)) are denied.

DATED this 26th day of June, 2009.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge

*This opinion may contain hyperlinks to other documents or Web sites. The U.S. District Court for the District of Nebraska does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide on their Web sites. Likewise, the court has no agreements with any of these third parties or their Web sites. The court accepts no responsibility for the availability or functionality of any hyperlink. Thus, the fact that a hyperlink ceases to work or directs the user to some other site does not affect the opinion of the court.